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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,532	05/29/2001	Romain Durand	Q64581	4329

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EXAMINER

RAMPURIA, SHARAD K

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/865,532

Applicant(s)

DURAND ET AL.

Examiner

Sharad K. Rampuria

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/22/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martineau (US 6415142) (hereinafter Martineau) in view of Pinault (US 5913175) (hereinafter Pinault).

1. Regarding Claim 1, Martineau disclosed A method of blocking an operation or a service (abstract) involving a first identifier including first information suitable for being read by first reader disposed in a radio terminal (4; fig.1; col.5; 22-29) and

a second identifier including second information suitable for being read by second reader associated with the terminal (6; fig.1; col.5; 22-29).

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Martineau fails to disclosed authorizing the operation involving both identifiers depending on the result of the comparison. However, Pinault teaches in an analogous art, that calculating (115; fig.11) first data from the first and second information as read from the identifiers;

comparing (116; fig.11) the first calculated data with second data stored in a memory zone of an assembly comprising the terminal and the second reader ; and

authorizing (117; fig.11) the operation depending on the result of the comparison. (col.10; 66 – col.11; 19 & col.7; 60-col.8; 16) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include authorizing the operation involving both identifiers depending on the result of the comparison in order to provide secure transaction by accessing only for authorized individual.

2. Regarding Claim 2, Martineau disclosed all the particulars of the claim except the steps of calculating, storing, and comparing the first and second data are performed in the radio terminal. However, Pinault teaches in an analogous art, that A method according to claim 1, wherein the steps of calculating, storing, and comparing the first and second data are performed in the radio terminal. (114; fig.11; col.11; 3–10 & col.7; 60-col.8; 16) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the steps of calculating, storing, and comparing the first and second data are performed in the radio terminal in order to provide secure transaction by accessing only for authorized individual.

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3. Regarding Claim 3, Martineau disclosed all the particulars of the claim except the steps of calculating, storing, and comparing the first and second data are performed in the second reader. However, Pinault teaches in an analogous art, that A method according to claim 1, wherein the steps of calculating, storing, and comparing the first and second data are performed in the second reader (10, 13; fig. 1; col.3; 65 – col.4; 65 & col.7; 60-col.8; 16) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the steps of calculating, storing, and comparing the first and second data are performed in the second reader in order to provide removably receiving a memory module for storing information.

4. Regarding Claim 4, Martineau disclosed A method according to claim 1, wherein the first data is stored during a step of personalizing the terminal or the second reader. (col.6; 8-22)

5. Regarding Claim 5, Martineau disclosed all the particulars of the claim except verifying whether the function of blocking the operation is in an activated state, which prior step is performed before performing the calculation and comparison steps. However, Pinault teaches in an analogous art, that A method according to claim 1, further including a prior step of verifying whether the function of blocking the operation is in an activated state, which prior step is performed before performing the calculation and comparison steps. (117; fig.11; col.11; 11–19) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include verifying whether the function of blocking the operation is in an activated state, which prior step is performed before performing the calculation and comparison steps in order to provide secure transaction by accessing only for authorized individual.

6. Regarding Claim 6, Martineau disclosed A method according to claim 1, wherein the first identifier suitable for being read by the radio terminal is a user card of the SIM type. (4; fig.1; col.5; 22-29)

7. Regarding Claim 7, Martineau disclosed A method according to claim 1, wherein the second identifier is a card of the smart card type or of the magnetic track type. (6; fig.1; col.5; 22-29)

8. Regarding Claim 8, Martineau disclosed An method of blocking an operation or a service (abstract) involving a first identifier including first information suitable for being read by first reader disposed in a radio terminal and (4; fig.1; col.5; 22-29), the method comprising the steps of:

a second identifier including second information suitable for being read by second reader associated with the terminal (6; fig.1; col.5; 22-29).

Martineau fails to disclosed comparing the first calculated data with second data stored in storage of the assembly comprising the terminal and the second reader. However, Pinault teaches in an analogous art, that means for calculating (115; fig.11) first data from the first and second information;

means for comparing (116; fig.11) the first calculated data with second data stored in a memory zone of the assembly comprising the terminal and the second read (col.10; 66 – col.11; 19) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include comparing the first calculated data with second data stored the terminal and

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the second reader in order to provide secure transaction by accessing only for authorized individual.

9. Regarding Claim 9, Martineau disclosed all the particulars of the claim except the steps of calculating, storing, and comparing the first and second data are implemented by integrated in the radio terminal. However, Pinault teaches in an analogous art, that A method according to claim 8, wherein the steps of calculating, storing, and comparing the first and second data are implemented by integrated in the radio terminal. (114; fig.11; col.11; 3-10 & col.7; 60-col.8; 16) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the steps of calculating, storing, and comparing the first and second data are implemented by integrated in the radio terminal in order to provide secure transaction by accessing only for authorized individual.

10. Regarding Claim 10, Martineau disclosed all the particulars of the claim except the steps of calculating, storing, and comparing the first and second data are implemented by integrated in the second reader. However, Pinault teaches in an analogous art, that A method according to claim 8, wherein the steps of calculating, storing, and comparing the first and second data are implemented by integrated in the second reader. (10, 13; fig.1; col.3; 65 – col.4; 65 & col.7; 60-col.8; 16) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the steps of calculating, storing, and comparing the first and second data are implemented by integrated in the second reader in order to provide removably receiving a memory module for storing information.


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11. Regarding Claim 11, Martineau disclosed An apparatus according to claim 8, wherein the first and second identifiers are respectively a user card of the SIM card type and a smart card or a magnetic track card. (4; fig.1; col.5; 22-29)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is 703-308-4736. The examiner can normally be reached on Mon-Thu.(8:00-5:30) alternate Fri.(8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or EBC@uspto.gov.


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Sharad Rampuria
Examiner
Art Unit 2683

29 December 2004